

REMARKS

This Amendment is responsive to the Final Action dated June 25, 2004. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-14 were pending in the application. In the Final Action, claims 1-14 were rejected, and claims 1 and 9-14 were objected to. In this Amendment, claims 1 and 9-14 have been amended. Claims 1-14 thus remain for consideration.

Applicant submits that claims 1-14 are in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

Claim Objections

Claim 1 and 9-14 were objected to for minor informalities.

Claims 1 and 9-14 have been amended as suggested by Examiner. Accordingly Applicant requests that the objections to the claims be withdrawn.

§103 Rejections

Claims 1-6, 8, 9 and 12-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Robinson (US Patent No. 5,884,282) in view of Hunter et al. (US 2002/0056118 A1).

Claims 7 and 10-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Robinson in view of Hunter and further in view of Reimer et al. (US Patent No. 6,065,042).

Applicant submits that the independent claims (claims 1 and 9-14) are patentable over Robinson, Hunter and Reimer.

Applicant's invention as recited in the independent claims is directed toward a system and method for providing information to an audience member and collecting information from the audience member, and an information providing method for providing information to an audience member. Each of the claims recites that "[a] terminal is mounted to a seat in which said audience member sits such that said audience member can alternatively view said terminal and [a] performance by merely shifting his or her eyes and without having to reposition said terminal." (emphasis supplied) Since the terminal is mounted on the audience member's own seat and not the seat of another audience member, the orientation of the terminal is independent of the other audience member's desired seat position.

Neither Robinson, Hunter nor Reimer discloses a terminal mounted to an audience member's own seat such that the audience member can alternatively view the terminal and a performance by merely shifting his or her eyes and without having to reposition the terminal. In this regard, Applicant notes that Hunter's Fig. 27 shows a mobile terminal mounted on a seat back or dashboard. Thus, Hunter does not disclose mounting the terminal on the viewer's own seat, and therefore can not realize the advantages of Applicant's invention.

Accordingly, Applicant believes that claims 1 and 9-14 are patentable over Robinson, Hunter and Reimer – taken either alone or in combination – on at least this basis.

Claims 2-8 depend on claim 1. Since claim 1 is believed to be patentable over the cited references, claims 2-8 are believed to be patentable over the cited references on the basis of their dependency on claim 1.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.


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If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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